

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NOVA DESIGN TECHNOLOGIES, : CIVIL ACTION  
LTD. :  
 :  
v. :  
 :  
 :  
MATTHEW K. WALTERS, et al. : NO. 10-7618

ORDER

**FILED**

OCT 24 2011

MICHAEL L. ROSE, Clerk  
C. Dep. Clerk

AND NOW, this 24th day of October, 2011, upon consideration of the Renewed Motion to Dismiss Defendants Philips Holding USA, Inc. and RIC Investments, LLC (Docket No. 59), the plaintiff's response thereto, the defendants' brief in reply, the plaintiff's Motion for Leave to File a Sur-Reply (Docket No. 68), the defendants' response thereto, and for the reasons set forth in a memorandum of law bearing today's date, IT IS HEREBY ORDERED that:

1. The defendants' Renewed Motion to Dismiss is GRANTED; and
2. The plaintiff's Motion for Leave to File a Sur-Reply is GRANTED in part and DENIED in part.

The plaintiff's motion is granted to the extent that the Court considered the proposed contents of the brief in sur-reply in ruling on the defendants' motion.

The plaintiff's amended complaint is dismissed with respect to the defendants Philips Holding USA, Inc. and RIC Investments, LLC.

BY THE COURT:

  
MARY A. McLAUGHLIN, J.